

State of Tennessee
Department of Environment and Conservation
Division of Solid Waste Management

Solid Waste Management Program
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 14th Floor
Nashville, Tennessee 37243
615-532-0780

**REGISTRATION AUTHORIZING SOLID WASTE
DISPOSAL ACTIVITIES IN
TENNESSEE**

Registration Number: CMP110000004

Date Issued: DRAFT

Issued to: The Compost Company, LLC

Activities Authorized: Construction, operation, and closure of a composting facility located at 3643 Highway 12 North, Ashland City, Tennessee for the processing into compost material of source separated yard trimmings, clean wood, crop residues, agricultural residuals, source-separated organics, food processing residuals and industrial by-products as approved by the Department.

By my signature this registration is issued in compliance with the provisions of the Tennessee Solid Waste Disposal Act (Tennessee Code Annotated, Section 68-211-101, et seq.), and applicable regulations developed pursuant to this law and in effect; and in accordance with the conditions and other terms set forth in this registration document and attached Registration Conditions.

Patrick J. Flood, P.E., Director
Division of Solid Waste Management

PERMIT TERMS AND CONDITIONS

1. Re-certification by Permittee for Facilities Whose Initial Operation is Delayed - If the facility does not initiate construction and/or operation within one year of the date of this permit, the permittee must re-certify the application in accordance with Rule 0400-11-01-.02(3)(d).
2. Duty to Comply - The permittee must comply with all conditions of this permit, unless otherwise authorized by the Department. Any permit noncompliance, except as otherwise authorized by the Department, constitutes a violation of the Act and is grounds for enforcement action, or for permit termination, revocation and re-issuance, or modification.
3. Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. Duty to Mitigate - In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent adverse impacts on human health or the environment.
5. Proper Operation and Maintenance - The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
6. Permit Actions - This permit may be modified, revoked and re-issued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any existing permit condition.
7. Property Rights - This permit does not convey any property rights of any sort, or any exclusive privilege.
8. Duty to Provide Information - The permittee shall furnish to the Commissioner, within a reasonable time, any relevant information which the Commissioner may request to determine whether cause exists for modifying, revoking and re-issuing, or terminating this permit, or to determine compliance with this permit. The permittee must also furnish to the Commissioner, upon request, copies required to be kept by this permit. All records,

including a copy of this permit and the approved Part I and Part II application, must be maintained at the facility or other locations as approved by the Commissioner.

9. Inspection and Entry - The permittee shall allow the Commissioner, or an authorized representative, to:

- (i) Enter at any reasonable time the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (iii) Inspect at any reasonable time any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit (Note: If requested by the permittee at the time of sampling, the Commissioner shall split with the permittee any samples taken.);
- (iv) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act any substances or parameters at any location; and
- (v) Make photographs for the purpose of documenting items of compliance or noncompliance at waste management units, or where appropriate to protect legitimate proprietary interests, require the permittee to make such photos for the Commissioner.

10. Monitoring and Records

- (i) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (ii) The permittee shall retain records of all required monitoring information.
- (iii) Records of monitoring information shall include:
 - (I) The date, exact place, and time of sampling or measurements;
 - (II) The individual(s) who performed the sampling or measurements;
 - (III) The date(s) analyses were performed;
 - (IV) The individual(s) who performed the analyses;
 - (V) The analytical techniques or methods used (including equipment used); and

(VI) The results of such analyses.

11. Reporting Requirements

- (i) The permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility.
- (ii) Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (iii) The permittee shall report orally within 24 hours from the time the permittee becomes aware of the circumstances of any release, discharge, fire, or explosion from the permitted solid waste facility which could threaten the environment or human health outside the facility. Such report shall be made to the Tennessee Emergency Management Agency, using the 24-hour toll-free number (800) 262-3300.
- (iv) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Commissioner, it shall promptly submit such facts or information.

12. Duration of Permits - This permit shall be effective for the operating life of the facility.

13. Effect of Permit - The issuance of this permit does not authorize the permittee to injure persons or property or to invade other private rights, or to violate any local law or regulations.

14. Transfer, Modification, Revocation and Re-issuance, and Termination of Permits - This permit may be transferred, modified, revoked or reissued, or terminated as set forth in 0400-11-01-.02(6).

15. Applicable Standards - All applicable facility standards of Rule Chapter 0400-11-01, Solid Waste Processing and Disposal Amendments shall be considered conditions of this registration.

16. Penalties - Any violation of the conditions or other terms of this registration may subject the registrant to the penalties set forth in Tennessee Code Annotated Section 68-211-114 and 68-211-117.

17. Hazardous Waste Restriction - No hazardous waste, as regulated by the Tennessee Hazardous Waste Management Act (TCA Section 68-212-101, et seq.), and the Rules adopted pursuant to that Act, shall be accepted at this facility.

18. Construction and Operation - The permittee shall construct and operate the facility in accordance with the approved engineering plans and operations manual which becomes a condition of this permit as Attachment I.
19. Financial Assurance - Prior to beginning operation, the permittee must file a Financial Assurance Instrument in accordance with Rule 0400-11-01-.03.
20. Special Waste - Except as specifically provided for in the Facility-Specific Conditions of this permit, the permittee may not accept for disposal any special waste unless approved to do so in writing by this Department.

VARIANCES AND WAIVERS

The following variances or waivers from standards or requirements in Rule Chapter 0400-11-01, Solid Waste Processing and Disposal Amendments, are hereby granted in accordance with Rule 0400-11-01-.01(5):

1. Variance is requested from the buffer zone standards for siting landfills associated sedimentation pond 100 feet distance from the property line.

FACILITY-SPECIFIC PERMIT CONDITIONS

The following conditions of this permit are established pursuant to Rule 0400-11-01-.02(5)(b):

1. The Compost Company, LLC must provide an alternate arrangement for disposal of sedimentation pond contact water to prevent discharge when the land application area is unusable to maintain the maximum water surface elevation of 572.5 feet.
2. The Compost Company, LLC must install a water depth gauge in the sedimentation pond to show depth for maintaining the maximum water surface elevation of 572.5 feet.